

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

DEETH WILLIAMS WALL LLP
150 York Street
Suite 400
Toronto, Ontario M5H 3S5
CANADA

INVITATION TO FURNISH NUCLEOTIDE
AND/OR AMINO ACID SEQUENCE LISTING
COMPLYING WITH WIPO STANDARD ST25

(PCT Rule 13ter.1(a) and (c) and
Administrative Instructions, Section 208 and Annex C)

Date of mailing (day/month/year)	13/02/2004
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Applicant's or agent's file reference

3110 0029

REPLY DUE

within 1 months/days
from the above date of mailing

International application No.

PCT/CA 03/01555

International filing date
(day/month/year)

10/10/2003

Applicant

KRAUSE, Henry M.

1. The applicant is hereby **invited**, within the time limit indicated above, to furnish to this Authority:



a nucleotide and/or amino acid sequence listing **in written form** complying with the standard provided for in Annex C of the Administrative Instructions, accompanied by a **statement** to the effect that the sequence listing does not go beyond the disclosure in the international application as filed.



a **statement** to the effect that the sequence listing in written form, already furnished to this Authority, does not go beyond the disclosure in the international application as filed.



a nucleotide and/or amino acid sequence listing **in computer readable form** complying with the standard provided for in Annex C of the Administrative Instructions, accompanied by a **statement** that the information recorded in computer readable form is identical to the written sequence listing.



a **statement** that the information recorded in computer readable form (that computer readable form having already been furnished to this Authority) is identical to the written sequence listing.

2. **Failure to comply with this invitation** may result in this Authority not carrying out the international search to the extent that no meaningful search can be carried out.

3. Further observations (if necessary):

IMPORTANT REMARK:

The statements are legally required [See Suppl.No.2 to Official
Journal No.11/1998 (page 14, § 37 and 40 and page 64, RECEIVED BY

DEETH WILLIAMS WALL LLP

FEB 27 2004

ENT'D MANUALLY Mar 13/04

Mar 13/04

Name and mailing address of the International Searching Authority



European Patent Office, P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk
Tel. (+31-70) 340-2040, Tx. 31 651 epo nl,
Fax: (+31-70) 340-3016

Authorized office

Nina Mercio

[Signature]



Europäisches PatentAmt
Office Européen des Brevets
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Storage and Retrieval of Amino acid and Nucleotide Data

Nina Vercio
P.B. 5818 Patentlaan 2
NL-2280 HV Rijswijk

Tel: +31 70 340 2842
Fax: +31 70 340 3992

ANNEX

Dear applicant/representative,

Present application contains amino acid/nucleotide sequences.

According to Supplement 2 to the Official Journal Nr.11/98 of the EPO [& Rule 5.2. PCT], if nucleotide / amino acid sequences are disclosed in a European/International patent application, the description shall contain a *sequence listing* complying with WIPO standard ST. 25.

According to our verification the Sequence Listing on paper does not comply with the WIPO ST 25.

Namely, the Sequence Listing in computer readable form is missing.

Furthermore, the organism numeric identifier <213> is not correctly done.

PLEASE NOTE:

<213> - for this data element the accepted Latin genus and species designations must be given (where this is impossible (as for many viruses)), the designation most common in the literature has to be applied), or the values: "Artificial sequence" or "Unknown".

Please be as specific as possible and avoid higher Taxonomy levels.

Note: Organism names may be found on the Internet at the following address :
<http://www.ncbi.nlm.nih.gov/Taxonomy/taxonomyhome.html>.

Furthermore, If the organism (numeric identifier <213>) is an "Artificial Sequence" or "Unknown" the feature items <220> and <223> are mandatory.

For further information regarding the organism (numeric item <213>) please use also numeric items <220> and <223>.

For further information, please see Supplement 2 to Official Journal Nr. 11/1998

The applicant is herewith invited to file a correct Sequence Listing, both on paper and in computer readable form.

The ISA hereby invites the applicant to submit a sequence listing, with appropriate annotations for each sequence [where applicable], both on paper and in computer readable form, accompanied by the appropriate statements.

Relating to this, we remind you that if these requirements are not met or not met in due time, the EPO does not perform the international search where a meaningful search cannot be carried out (Rule 13^{ter}.1(c)PCT). In this case the international search report is replaced in full or in part by the statement under Article 17(2)(a)(ii)PCT.

Moreover Rule 13^{ter} (f) prescribes that a subsequently filed sequence listing, which is not a correction within the meaning of rule 26.4 PCT and which is not a rectification within the meaning of Rule 91.1.PCT of a

sequence listing, shall not form part of the international application. In accordance herewith, the furnishing of a subsequently filed sequence listing does not give rise to an opportunity either to amend the description, claims and figures with a view to refer to said subsequently filed sequence listing or add it to the application as originally filed. The subsequently furnished listing will therefore normally not be forwarded to the international Bureau for publication purposes.

We strongly recommend the applicant to use the **PatentIn** software to submit the sequence listing.

(If problems arise with the download of the PatentIn software, a CD-ROM copy can be obtained from the EPO via E-mail : dochelp@epo.org), free of charge; Internet: <http://www.european-patent-office.org>.

The computer readable form of the Sequence Listing in ASCII format (text only) is mandatory. For further questions do not hesitate to contact us.

Please send sequence listing on paper and in computer-readable form preferably to the European Patent Office, Strand Program, Directorate Documentation, Ms N. Vercio, Room S 13 C 10, Patentlaan 2, NL 2288 EE Rijswijk, The Netherlands.

REMARK:

The new PatentIn is available on our EPO website with following address:

www.european-patent-office.org/filingsoft/strand

Download is performed from that site .

Please read carefully the information provided on that site.

The downloaded install.exe file can be used for the installation of the new version from PatentIn.
W_UPATIN.EXE is the file to start PatentIn

Would you encounter problems, please take contact with our Helpdesk epoline@epo.org.